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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference CHY	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/KR2003/001884	International filing date (day/month/year) 15 SEPTEMBER 2003 (15.09.2003)	Priority date (day/month/year) 18 SEPTEMBER 2002 (18.09.2002)
International Patent Classification (IPC) or national classification and IPC IPC7 G03B 21/56		
Applicant CHOI, Hae-Yong		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 13 APRIL 2004 (13.04.2004)	Date of completion of this report 07 JANUARY 2005 (07.01.2005)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer KIM, Sang Hee Telephone No. 82-42-481-5974 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/001884

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement) under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☒ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-4	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-4	NO
Industrial applicability (IA)	Claims	1-4	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document cited in the International Search Report:
D1: KR 1998-27358 Y (KIM, KI YOUNG) 5 Aug. 1998

Document which is not cited in the International Search Report
D2: JP 11-191689 A (OHYAYASHI CORP. & NICHIBEI CO. LTD.) 13 Jul. 1999

1. Regarding Novelty

The subject matter of claim 1 of the present application is a roll-up screen comprised of a screen, a lower rod, an upper rod, magnetic material attached on the upper rod, and a magnet attached on the lower rod.

The subject matter of D1 is an apparatus for fixing a screen on the wall comprised of a screen with upper and lower rod and other necessary elements used for fixing.

The subject matter of D2 is an electromagnetic shielding rolled screen comprised of a screen with upper and lower bar, magnet and magnet plate.

D1 differs from claim 1 since D1 does not include a magnet which is a necessary element of claim 1. D2 differs from the present invention since D2 deals with a rolled screen for window rather than a screen for presentation.

Therefore, the subject matter of claim 1 of the present invention is considered to be new (Art. 33(2) PCT)

As dependent claims of claim 1, the subject matter of claims 2-4 is also considered to be new (Art. 33(2) PCT)

2. Regarding Inventive Step.

As it is mentioned above, the difference between the subject matter of D1 and the claim 1 of the present invention is that D1 does not include a magnet which is an essential element of the present invention.

D2 includes a magnet and a magnet plate and these elements are used for the same purpose as the present invention. Even though the present invention and D2 do not deal with the same kinds of screen, there doesn't seem to be any problem in defining D2 as a neighboring field of concern.

(continued on supplemental box)

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VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Numeral "10" and "11" on page 1 have no counterparts in the Figure 1. And the numeral "10" and "11" shown in Figure 8 do not seem to correspond to the same numeral on page 1.

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of:

Box V:

Another difference between D2 and present invention lies in the fact that the present invention attach the magnet to the lower bar and the magnetic material to the upper bar, whereas D2 fixes the magnet to the lower bar and the magnet plate to the window frame. However the purpose of using magnet and magnetic material is so obvious that attaching the magnet and magnetic material to the places where it is necessary does not seem to involve any technical difficulties.

Therefore the subject matter of the claim 1 does not seem to involve an inventive step (Art. 33(3) PCT).

The subject matter of the claims 2-4 is confining the details of the fixing elements. Since all of these details are already disclosed either in D1 or in D2, the subject matter of claims 2-4 is not considered to involve an inventive step (Art. 33(3) PCT).